

however, and it is the true intent and meaning of this award, that the said *Robert Walsh* shall not be compelled to execute the said deed of conveyance until a perpetual injunction shall be granted by the honourable, the Chancellor of Maryland, in a cause or causes now depending in the High Court of Chancery, wherein the said *Robert Walsh* is complainant, and seeks to be protected against the effect of sundry judgments at law against the said *Robert Walsh*, obtained on bonds executed by the said *Robert Walsh*, to a certain *Thomas Smyth, Jr.* of the state of Georgia, which bonds we find were given by the said *Robert Walsh*, as agent of the said *Casenave & Walker*, of whom the said *James Walker* was surviving partner.' Made and signed on the 17th of April, 1816; and judgment rendered thereon on the 4th of May, 1816.

The petition further stated, that the petitioner, from the information he has received, has good cause to believe, and does believe, that a gross fraud was practised on the plaintiffs by the pretended sale to them by *Smyth* and *Lynch*, of lands to which they had no good or valid title, as is set forth in the bill; and that if an opportunity were given by a rehearing of the cause, and admitting him as a party plaintiff thereto, he could and would obtain sufficient and competent testimony to sustain the allegations of the plaintiffs in the bill, on which the equity was founded which entitled them to the injunction originally granted; and to satisfy the court that it ought to be made perpetual.

Upon which the petitioner prayed, that the decree of the 6th of September, 1830, might be rescinded, the case reinstated, and the injunction heretofore granted revived and continued in full force until further order; that he might be made a party plaintiff according to the provisions of the act of Assembly; that all further proceedings at law, as heretofore enjoined, might be suspended and stayed until further order; and that he might have such other and further relief as the nature of his case required.

The petitioner by his supplemental petition stated, that at the time the case was set down for hearing, *Casenave* had no counsel in court; that the solicitor who had been employed by him died many years since; and those solicitors whose names were marked on the docket for the plaintiffs, appeared for and were the solicitors of *Walsh* alone; and then goes on to state as before, in his original petition, that the suit had not been revived against the representatives of *Casenave*. And then as before, prayed to be admitted as a